G. R. S. 581

Previous references.

LB 1896 12 (346)
LB 1906 21
" do 21 2
" 2580 M 3
" do 21-2
L 7.375-6 1892

Later references.

19 12-13

(LB)

File No. 2764-12

Serial Nos. 142

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 142

Part B for May 13.

SUBJECT.

Eligibility of Pound Keepers for membership on Union Panchayats.

From the President DC-BD Tumkur: No S17 dt 24-4-13 requires whether clauses (i)-(iii) of Para 16 of the rules framed under the LB Regn contemplates the exclusion from memberships on the union Panchayats Pound Keepers, appointed under the provisions of the Cattle Trespass Act.

To the Dy Comr Tumkur } No 2462-4
Other Dy Comrs } dt 29-5-13

Informs that Gowda Patels ex-officio Pound Keepers are not ineligible for membership on Union Panchayats for reasons stated.

D. Devendrappa 7/6/13

GPB—5,000—22-10-10

G.R.S. 11] 1912-13

GENERAL AND REVENUE SECRETARIAT.

(LB)

NOTES.

File No. 274/12

FILE HEADING.

Eligibility of pound keepers for membership on Union panchayats

From

The President DB Bd. Dumka

No. 517 Dated 24.4.13 Received 28.4.13

Diary No. 6618	Enclos.	Spare Copies.	Serial No. /

BRIEF ABSTRACT OF LETTER.

Enquires whether clauses (i) & (ii) of para 16 of the rules issued under the LB Regn Contents the exclusion from membership on the Union panchayats pound keepers, ~~& ...~~ appointed under the provisions of the Cattle Trespass Act.

NOTES AND ORDERS.

D — The powers and functions of the District magistrate under secs 4, 5, 6, 12, 14 & 17 of the Cattle Trespass Act are exercised by the President of DB Bds and the revenue from Cattle pounds is enjoyed by the DB Bds in accordance with Govt Notn no: 15283 Dated 15 mar 1894

LD-375-92

NOTES—First Sheet.

GPB—35,000—15-6-12

R. S. 12]

General and Revenue Secretariat.

LB File No. 274 of 1912-13

Serial No.

2 Clause (4) of sec 7 of the L.B Regn lays down that the D.B.Ds shall exercise such functions of Govt and the magistrate of the district under the Cattle Trespass Act as may be transferred to the D.B.Ds by Govt. The L.B. Regulation was passed in 1902 and since the passing of the Regn there have been no orders or rules delegating the functions of Govt or the District-magistrate to the D.B.Ds But the powers of the D.M. under Secs 4, 5, 6, 12, 14 & 17 of the Cattle Trespass Regulation had been delegated to the Presidents D in 1894 D prior to the passing of the L.B. Regulation and the

3 Thus though the pound keepers are appointed by the Presidents of D.B.Ds they can not be considered to be servants of the District Boards. Nor can they be deemed to have any share or interest in any Contract or employment with the local Board in as much as they do not enter into any agreement with the D.B.Ds nor are they employed by the D.B.Ds but they look after the Cattle pounds collect the fees etc in obedience to the orders of the D.M. under the provisions of the Cattle Trespass Act Vs. the Cattle Trespass Act

NOTE—Contn. sheet.

G I P—65,000—17-C-12.

LL 18

F. R. S. 12]

General and Revenue Secretariat.

LR File No. 214 of 1912—13

Serial No.

4) May the President be informed that para 16 of the LB Rules do not contemplate the exclusion of pound keepers from membership on Union panchayats

Lr to Presidents

KP 92

15/5/13 5) Put up draft in the terms of para 3 supra

WP 13/5/13

14/5/13

Draft put up for approval

KP 92

15/5/13

6) Draft put up for approval or other orders.

15/5/13

17/5/13

7) Draft approved

Issue

19/5/13

21/5

8) Issue

To

21/5/13

2 The Dy Commr Tumkur } No. 9462-9
& other Dy Commrs } dated 29.5.13.

Informs them that patels ex-officio pound keepers are not ineligible for membership on Union panchayats as they are not servants of the local body and as there can not be deemed to have any interest or share in any contract or employment with the local board

NOTE—Contn. sheet.

GPB—65,000—17-8-12.

W 2714 pr 1c & 29/4/13 Rg 3FC
191 27.06
D. 6547

From

The Deputy Commissioner,
& President District Board,
Tumkur District

To

The Secretary to the
Govt. of His Highness
the Maharaja of Mysore.
Gen. and Rev. Depts.

Dated

Despatched

Received

General No. 512

No. Secy.

Enclosure No.

Submits for the consideration and orders of Government a question that has arises in connection with the appointment of a Union Panchayat-dar as a pound-keeper of the union and seeks clear instruction of Govt. as to whether persons appointed as pound-keepers under para 3 of Regulati No. VIII of 1892 (Cattle trespass Act are excluded from the operation of para 16 of the rules under the Local Boards Regulation.

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GPB—5,76,000—6-4-12

Office of the President, District Board
Tarikar District.

Dated, Tarikar, 24th April 1913.

From.

V.R. Thyagaraja Iyer, Esq., B.A.
President, District Board, Tarikar District.

To.

K.R. Srinivasa Iyengar, Esq., B.A.
Offg. Secretary to the Government of
His Highness the Maharaja of Mysore,
General & Revenue Depts.

Sir,

I have the honour to submit for the consideration and orders of Government a question that has arisen in connection with the appointment of a Union Panchayatdar as a Pound-keeper of the Union.

The Amildar of Tarikal has submitted for sanction the appointment of one Hyame Gowda, Patel of Hallyardurga, as Pound-keeper in succession to one Subbaiya deceased, .

2. This Patel Hyame Gowda was proposed to be made a member of the Union Panchayat at the same place in this office letter No. 312 dated the 14th January 1913 and Government in their order No 5970/ L.B. 18-12 dated the 8th February 1913 was pleased to recommend the inclusion of his name in the revised lists sent with the proposals for reconstituting the Panchayat. This has since been done in this office letter No. 579 dated the 24th April 1913.

3. Under para 3 of Regulation No. VIII of 1892 the headman of the village shall be the Ex-officio Pound-keeper so that the appointment of Hyame Gowda as Pound-keeper has to be ordered in accordance with that Regulation, a special power being given to the District Magistrate to appoint others in special cases. But, under para 15 (i & ii) of the rules under the Local Boards Regulation

the pound-keeper being a servant under, or having an interest in, any employment with such Local Board, the pound receipts forming an item of the District Fund revenue, is disqualified from being appointed as Panchayatdar.

4. In view of the fact that a considerable number of unions have as members, the patels of the villages who are also ex-officio pound-keepers and in view of the fact that neither the union nor the Local Board can forego the services of an intelligent and trustworthy patel, clear instructions of Government are sought for in deciding the question whether para 16 of the rules under the Local Boards Regulation con - -templates the exclusion of persons appointed as pound-keepers under para 3 of Regulation VIII of 1892.

I have the honour to be,

Sir,

Your most obedient servant,

President.

MRD

22.5

Ineligibility of pound keepers for membership on Union panchayats

3

G.R.S. 28]

ab

B

File No. 274/12

Serial No. 2

Diary No. of letter replied to 6618

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
(LB)

READ—

, *the* 191

Paper under disposal

Letter no 517 dated the 24th April 1913 from the Deputy Commr. & President District Board, Tumkur stating enquiring whether clauses (i) & (ii)

Date of issue 29.5.13

Signed by MVJ & R

~~ORDER THEREON.—No.~~

of para 16 of the Rules issued under the L. B. Regulation contemplate the exclusion of pound keepers appointed under the provisions of the Cattle Trespass Act of 1871 as

over.

SUBJECT.

8 copies typed. MRV. 23-5-13

amended by Regulation VIII of 1892
from membership on the
panchayats of Local Boards Unions.

Order thereon 1462 of 1892 dated 11th Nov 1892

The pound keepers
are appointed by the Presidents
of District and municipal boards
exercising the powers of the
District magistrate under secs
4, 5, 6, 12, 14 & 17 of the Cattle Trespass Act
in accordance with Govt resn no.
15283 dated 15th March 1894 and
7 375-92.
they can not therefore be considered
to be servants of the Local Boards;
Nor can the pound keepers be
deemed to have any share or
interest in any contract or employment
with the local boards in as much as
they do not enter into any agreement
with and are not employed by the Local Boards.
but execute such functions
as are prescribed by the
District magistrates i.e the Presidents.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

2. The President is informed that for the above reasons the pound keepers appointed under the provisions of the Cattle Trespass Act do not become ineligible for membership on Union panchayats under clauses (i)&(ii) of para 16 of the L. B. Rules.

17/5/13
for Offg Secretary

Cell 19/5/13

Dy

The Dy Commr & President Dt Bd. Insuker District

Dy comrs and Presidents of DC Boards of other Dts

Note

May this be communicated to other Presidents & printed if approved?

Need not the minutes first be communicated to the Hon'ble Members & Presidents of Distt Boards Dy 17/5/13

2c 6/5/13